

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

April 8, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

OAHU

Amendment of General Lease No. 4337, Hawaii State Chapter of the American National Red Cross, Lessee; Diamond Head, Honolulu, Oahu, Tax Map Key: (1) 3-1-042:029.

BACKGROUND:

In 1971, General Lease No. 4337 was issued to the American National Red Cross for the establishment of a Red Cross headquarters at the subject location. The lease is for a term of 65 years at a nominal rent of \$1 for the full term, and the lease will expire in 2035. In 1975, the Board gave its consent to the assignment of the subject lease to the current lessee.

Condition 13 of the lease reads "... the lessee shall not transfer, assign or permit any other person to occupy or use the said premises or any portion thereof ... with the prior written approval of the Board the assignment and transfer of this lease or unit thereof may be made." Currently, the lessee is working with Global Relief Technologies (GRT), a company developing technology in relation to the damage assessment data, which is crucial in the field for expediting the dispatch of relief material to the target area. Both the lessee and military will use the technology in their relief missions. The lessee intends to use one of vacant offices to house an employee of GRT, who will provide training of the new technology.

In view of the language in condition 13 mentioned above, the lessee requests an amendment to GL 4337 so that GRT or other similar partners in the future can occupy or use a part of the premises for Red Cross mission related purposes.

REMARKS:

The character of use of the subject lease is "solely for the establishment of a Red Cross headquarters". In the future, the lessee plans to bring in other consultants or contractors, similar to GRT, to provide training or other services to the volunteers for the purpose of disaster relief mission. Following the current restriction in lease condition 13, every consultant or contractor will require the Board's written approval before such trainings or services can start. Staff anticipates that such requests, very likely, are standardized. However, it will lengthen the Board agenda.

Staff believes such trainings or services should be considered as part of the mission of the lessee. Staff understands there is no rental payment or signing of a lease document by GRT to use the office space. Any similar accommodation in the future for other trainings or services will follow the same approach, that is the lessee is not generating any revenue by allowing the contractors or consultants to use portion of the premises. To save future administrative works, staff supports the request to amend the character of use of GL 4337 to "solely for the establishment of a Red Cross headquarters and its mission related purposes" [additional language underlined].


Further, staff suggests the Board revise condition 13 by removing "or permit any other person to occupy or use". With this revision, it would allow the lessee permitting other entities to undertake activities related to the mission of Red Cross on the premises.

Major General Lee, Adjutant General of the Hawaii National Guard, also supports the request by his letter attached as Exhibit A.

RECOMMENDATION: That the Board authorize the amendment of General Lease 4337 by:

- A. Changing the character of use to "the lessee shall use or allow to be used the premises hereby demised solely for the establishment of a Red Cross headquarters and its mission related purposes" [additional language underscored].
- B. Revising condition 13 to read as follows "That the Lessee shall not transfer or assign ~~or permit any other person to occupy or use~~ the said premises or any portion thereof, or transfer or assign this lease or any interest therein, either voluntarily or by operation of law, and any transfer or assignment so made shall be null and void; provided, that with the prior written approval of the Board the assignment and transfer of this lease or unit thereof may be made." [deleted language is stricken]
- C. Review and approval by the Department of the Attorney General; and
- D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson 

LINDA LINGLE
GOVERNOR



RECEIVED
LAND DIVISION

ROBERT G. F. LEE
MAJOR GENERAL
ADJUTANT GENERAL

GARY M. ISHIKAWA
BRIGADIER GENERAL (HI)
DEPUTY ADJUTANT GENERAL

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STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

March 11, 2010

Chair Laura Thielen & Board Members
Department of Land & Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawaii 96813

Dear Chair Thielen and Board Members:

As the Adjutant General of the State of Hawaii, I am writing to express my support for the American Red Cross, Hawaii State Chapter's request to amend the land lease for their Headquarters facility at 4155 Diamond Head Road. They would like permission to allow other individuals/organizations who are affiliated with the Red Cross mission, to occupy or use part of their premises.

The Hawaii Red Cross plays an important role in our community here in the islands. Whenever State Civil Defense calls on the Red Cross to assist with disasters, they are always there. From opening shelters to participating in disaster exercises, the American Red Cross is there for the people of Hawaii.

In addition, the Red Cross plays an important role in supporting our military. Last year, the Hawaii Red Cross provided emergency communications and referrals to 2,296 military service members and their families in times of crisis. Over 17,670 members of the U.S. Armed Forces and their families were provided with pre-deployment information on how to use Red Cross services to maintain connection with their families during times of crisis and separation.

The Hawaii National Guard, the Hawaii Red Cross, and the U.S. Marines in Hawaii are all working with Global Relief Technologies (GRT) to utilize their equipment during disasters to support relief efforts. I understand that the Hawaii Red Cross would like to allow a GRT staff member to use one of their vacant offices at their Headquarters building and be on site to train Red Cross volunteers and deploy to disasters with them. This seems like a good fit with the Red Cross mission and the arrangement should increase Hawaii Red Cross' capacity to respond to disasters.

EXHIBIT "A"

Chair Laura Thielen & Board Members
Department of Land & Natural Resources
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I support the request that the Hawaii Red Cross has put forth to the Department of Land & Natural Resources Board and hope you will consider approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Lee", written in a cursive style.

ROBERT G. F. LEE
Major General
Hawaii National Guard
Adjutant General